

Effective June 15, 2017, except as provided in § 5(b).

REPORTING OF ATTEMPTED CHILD ABDUCTIONS

CHAPTER 1016

H.B. No. 1503

AN ACT

relating to the reporting of attempted child abductions.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Article 63.0041, Code of Criminal Procedure, is amended to read as follows:

Art. 63.0041. REPORTING OF ATTEMPTED CHILD ABDUCTION. (a) A local law enforcement agency, on receiving a report of an attempted child abduction, shall as soon as practicable, but not later than eight hours after receiving the report, provide any relevant information regarding the attempted child abduction to the clearinghouse. Information not immediately available shall be obtained by the agency and entered into the clearinghouse as a supplement to the original entry as soon as possible.

(b) A law enforcement officer or local law enforcement agency reporting an attempted child abduction to the clearinghouse shall make the report by use of the Texas Law Enforcement Telecommunications System or a successor system of telecommunication used by law enforcement agencies and operated by the Department of Public Safety.

SECTION 2. Article 63.009(a-3), Code of Criminal Procedure, is repealed.

SECTION 3. This Act takes effect September 1, 2017.

Passed by the House on April 20, 2017: Yeas 144, Nays 0, 2 present, not voting; passed by the Senate on May 24, 2017: Yeas 31, Nays 0.

Approved June 15, 2017.

Effective September 1, 2017.

**RIGHTS OF CERTAIN DEFENDANTS WHO SUCCESSFULLY
COMPLETE A TERM OF COMMUNITY SUPERVISION**

CHAPTER 1017

H.B. No. 1507

AN ACT

relating to the rights of certain defendants who successfully complete a term of community supervision.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Article 26.13, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsection (h-1) to read as follows:

(a) Prior to accepting a plea of guilty or a plea of nolo contendere, the court shall admonish the defendant of:

(1) the range of the punishment attached to the offense;

(2) the fact that the recommendation of the prosecuting attorney as to punishment is not binding on the court. Provided that the court shall inquire as to the existence of a plea bargain agreement between the state and the defendant and, if an agreement exists, the court shall inform the defendant whether it will follow or reject the agreement

in open court and before any finding on the plea. Should the court reject the agreement, the defendant shall be permitted to withdraw the defendant's plea of guilty or nolo contendere;

(3) the fact that if the punishment assessed does not exceed the punishment recommended by the prosecutor and agreed to by the defendant and the defendant's attorney, the trial court must give its permission to the defendant before the defendant may prosecute an appeal on any matter in the case except for those matters raised by written motions filed prior to trial;

(4) the fact that if the defendant is not a citizen of the United States of America, a plea of guilty or nolo contendere for the offense charged may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law; ~~and~~

(5) the fact that the defendant will be required to meet the registration requirements of Chapter 62, if the defendant is convicted of or placed on deferred adjudication for an offense for which a person is subject to registration under that chapter; and

(6) the fact that if the defendant is placed on community supervision, after satisfactorily fulfilling the conditions of community supervision and on expiration of the period of community supervision, the court is authorized to release the defendant from the penalties and disabilities resulting from the offense as provided by Article 42A.701(f).

(h-1) The court must substantially comply with Subsection (a)(6). The failure of the court to comply with Subsection (a)(6) is not a ground for the defendant to set aside the conviction, sentence, or plea.

SECTION 2. Subchapter B, Chapter 42A, Code of Criminal Procedure, is amended by adding Article 42A.058 to read as follows:

Art. 42A.058. INFORMATION PROVIDED TO DEFENDANT PLACED ON COMMUNITY SUPERVISION. A judge placing a defendant on community supervision shall inform the defendant in writing and on a form prescribed by the Office of Court Administration of the Texas Judicial System that, after satisfactorily fulfilling the conditions of community supervision and on expiration of the period of community supervision, the judge is authorized to release the defendant from the penalties and disabilities resulting from the offense as provided by Article 42A.701(f).

SECTION 3. Article 42A.701, Code of Criminal Procedure, is amended by adding Subsections (f-1) and (f-2) to read as follows:

(f-1) The Office of Court Administration of the Texas Judicial System shall adopt a standardized form for use in discharging a defendant under this article. A judge discharging a defendant under this article must use the form adopted under this subsection. The form must provide for the judge to:

(1) discharge the defendant; or

(2) discharge the defendant, set aside the verdict or permit the defendant to withdraw the defendant's plea, and dismiss the accusation, complaint, information, or indictment against the defendant.

(f-2) The form adopted under Subsection (f-1) must state that a defendant who receives a discharge described by Subsection (f-1)(2) is released from the penalties and disabilities resulting from the offense as provided by Subsection (f).

SECTION 4. (a) Not later than December 1, 2017, the Office of Court Administration of the Texas Judicial System shall adopt the forms required by Articles 42A.058 and 42A.701(f-1), Code of Criminal Procedure, as added by this Act.

(b) Article 26.13(a), Code of Criminal Procedure, as amended by this Act, applies only to a plea of guilty or a plea of nolo contendere accepted by a court on or after January 1, 2018, regardless of whether the offense for which the plea was submitted was committed before, on, or after that date.

(c) Article 42A.058, Code of Criminal Procedure, as added by this Act, applies only to a defendant placed on community supervision on or after January 1, 2018, regardless of

whether the offense for which the defendant was placed on community supervision was committed before, on, or after that date.

(d) Articles 42A.701(f-1) and (f-2), Code of Criminal Procedure, as added by this Act, apply only to a discharge from community supervision that occurs on or after January 1, 2018. A discharge from community supervision that occurs before January 1, 2018, is governed by the law in effect on the date the discharge occurs, and the former law is continued in effect for that purpose.

SECTION 5. This Act takes effect September 1, 2017.

Passed by the House on May 6, 2017: Yeas 130, Nays 14, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1507 on May 25, 2017: Yeas 113, Nays 28, 2 present, not voting; passed by the Senate, with amendments, on May 23, 2017: Yeas 31, Nays 0.

Approved June 15, 2017.

Effective September 1, 2017.

**NOTICE TO APPLICANTS TO AND ENROLLEES IN CERTAIN
EDUCATIONAL PROGRAMS REGARDING THE
CONSEQUENCES OF A CRIMINAL CONVICTION ON
ELIGIBILITY FOR AN OCCUPATIONAL LICENSE**

CHAPTER 1018

H.B. No. 1508

AN ACT

relating to notice to applicants to and enrollees in certain educational programs regarding the consequences of a criminal conviction on eligibility for an occupational license.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 53, Occupations Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. NOTICE OF POTENTIAL INELIGIBILITY FOR LICENSE

Sec. 53.151. DEFINITIONS. *Notwithstanding Section 53.001, in this subchapter, "licensing authority" and "occupational license" have the meanings assigned to those terms by Section 58.001.*

Sec. 53.152. NOTICE BY ENTITIES PROVIDING EDUCATIONAL PROGRAMS. (a) *An entity that provides an educational program to prepare an individual for issuance of an initial occupational license shall notify each applicant to and enrollee in the educational program of:*

(1) *the potential ineligibility of an individual who has been convicted of an offense for issuance of an occupational license on completion of the educational program;*

(2) *the current guidelines issued under Section 53.025 by any licensing authority that may issue an occupational license to an individual who completes the educational program;*

(3) *any other state or local restriction or guideline used by a licensing authority described by Subdivision (2) to determine the eligibility of an individual who has been convicted of an offense for an occupational license issued by the licensing authority; and*

(4) *the right to request a criminal history evaluation letter under Section 53.102.*

(b) *The entity shall provide the notice required under Subsection (a) to each applicant and enrollee regardless of whether the applicant or enrollee has been convicted of an*